

Remarks

The present Amendment is submitted in response to the Office Action dated June 30, 2008, which set a three-month period for response.

Claims 1, 2, 4 and 5 are amended hereby. Claims 3 and 6-9 are withdrawn. Claim 1 is the sole independent claim.

Claims 1 is rejected under 35 USC §102(b) as anticipated by French reference No. 1,313,315 to Saint Gobain (Saint Gobain). Claim 2 is rejected under 35 USC §103(a) as unpatentable over Saint Gobain in view of US Patent No. 1,274,768 to Petro (Petro). Claim 5 is rejected under 35 USC §103(a) as unpatentable over Saint Gobain in view of US Patent No. 3,185,473 to Myers, et al. (Meyers).

In response to the objection to claims, applicant has amended claim 2 to read "an oblong body" in the first instance, and has amended claims 4 to depend only from claim 1. With respect to claim 5, applicant has substantially amended claim 5 to remove limitations regarding threaded bush (225), which limitations are now recited by amended independent claim 1 (from which claim 5 depends). Applicant, therefore, respectfully requests withdrawal of the objections to claims 2, 4 and 5.

In response to the rejection of claims 1, 2, 4 and 5 under 35 USC §112, second paragraph set forth in paragraph 4 of the outstanding Office Action, applicant has amended these claims substantially to conform to US practice. In view of the amendments to each of claims 1, 2, 4 and 5, applicant respectfully

requests withdrawal of the rejections under 35 USC §112, second paragraph.

Turning now to the substantive rejection of the claims, applicant respectfully submits that Saint Gobain, whether taken alone or in combination with either Petro or Meyers, neither anticipates nor renders obvious any of rejected claims 1, 2, 4 or 5.

Applicant's independent claim 1 as amended calls out a second pulling means (173) operating in chamber (5, 150). The second pulling means includes a mobile bar (120) fixedly connected to a second end (111) of the blind (112), a second box (184) supported inside the chamber (5, 150) fixedly to a second end of the frame (15) opposite to a first end of the frame, a cord (180) having one end fixed to a center of the mobile bar (120) and a second end fixed to a cord-roller (198) supported inside the second box (184), a first pin (217) axially engaged with both a first end of the cord-roller (198) and a shaft (104) of a rotating device (95, 138) disposed within the second box (184) and a threaded bushing (225) fixed to a second end of said cord roller (198) that screws into a threaded bar (224) fixed to the frame (15) for translating the cord roller (198) axially to accommodate turns (202) made by said cord (180).

The second pulling means (173) as claimed is not found in any of Saint Gobain, Petro or Myers. For that matter, applicant respectfully disagrees with the points raised by the Examiner at paragraphs 14-16 in the rejection of claim 5 in view of Saint Gobain combined with Meyers. Meyers' shaft (62) rotates between its two support brackets (52, 65) that are fixed to lower casing (9), which is not

equivalent to moveable bar (120) of claim 1, as amended. Moreover, Meyers' cylindrical roller (37) is used to wind sheet (36). Meyers' cylindrical roller (37) is not used to wind a cord and is therefore not equivalent to cord roller (198), as claimed.

Myers' tabs (43) are part of its sheet (36) and therefore not part of cord (180). Nor are tabs (43) attached to the center of the supporting cylinder like a cord. Meyers at col. 2, lines 39-42 states in pertinent part that "... in the same way that the ends of a photographic film are attached to its feed and take up spools." This is not equivalent to applicant's means for rolling/unrolling a pulling cord. Myers' bushing (59) is pressed by a coiling spring (60) for biasing shaft (45). Applicants' claimed bushing (220) doesn't press cord-roller (198) but moves it longitudinally along the threaded rod (224) as the cord-roller is screwed/unscrewed by the rotation impressed upon it, i.e., winding/unwinding of cord (180). Hence, Meyers' bushing (59) is not equivalent to the threaded bushing (220) of amended claim 1.

Furthermore, Meyers' flexible plastic sheet (36) has a length that is a multiple of the window height. Such limitation is included Meyers to accommodate different contiguous panels with different shadowing properties and colors/drawings. Meyers' sheet (36) is wound on its two cylinders that are disposed at the top and bottom of the window frame, respectively. Meyers selects a particular panel to intercept the window by rolling the sheet on a cylinder for the length of a panel, the sheet unrolling from the other panels.

Consequently, sheet (36) always intercepts the window area.

Meyers' structure and function are not therefore equivalent to the claim 1 structure, where blind (112) has a free end spaced apart from the bottom of the frame according to the various possible intermediate positions. That is, cord (180) as claimed pulls a blind (against an antagonist spring) when the length of the blind is comparable to the height of the window so that it is impossible for it to be wound on the second roller placed at the bottom. Meyers' pulling device operating on the second end of its sheet is not equivalent to the second pulling means (173) of amended claim 1.

Claim 1 is therefore patentable under 35 USC §102(b) over Saint Gobain, and claims 2, 4 and 5 that depend from claim 1 are patentable under 35 USC §103(a) over Saint Gobain in combination with either Petro or Meyers for at least the same reasons.

Applicant, therefore, respectfully requests withdrawal of the rejections under 35 USC §102(b) and 35 USC §103(a), and the allowance of each of claims 1, 2, 4 and 5.

Accordingly, the application as amended is believed to be in condition for allowance. Action to this end is courteously solicited. However, should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'MJS', with a long horizontal flourish extending to the right.

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